

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 26TH SEPTEMBER 2007 / 4TH ASWINA 1929

Bail Appl.No. 5848 of 2007()

CRIME NO. 88/07 OF KORATTY POLICE STATION
AGAINST THE JUDGEMENT/ORDER IN BA.5261/2007 Dated 06/09/2007
CRMP.10625/2007 of J.M.F.C.,CHALAKUDY
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PETITIONER/ACCUSED NO.4

BIJU, S/O VELAYUDHAN,
PANAMKOOTTATHIL HOUSE, KORATTY, THRISSUR DISTRICT.

BY ADV. SRI.A.C.DEVY

RESPONDENTS: COMPLAINANT

STATE OF KERALA,
REP.BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. S.U. NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 26/09/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

R. BASANT, J.

B.A.No. 5848 of 2007

Dated this the 26th day of September, 2007

ORDER

Second application for regular bail. The earlier application was dismissed as per order dt. 6.9.2007 in B.A.No. 5261 of 2007. The petitioner faces allegations, inter alia, under Section 395 I.P.C. The alleged occurrence was on 26.2.2007. Facts have been adverted to in detail in the said order. This order is to be read in continuation of the said order. I am hence not adverting to facts in any greater detail in this order. The petitioner continues in custody from 2.8.2007. He has history of criminal antecedents, submits the learned Prosecutor. Investigation is not complete. Final report has not been filed.

2. The learned Prosecutor opposes the prayer for grant of regular bail. Considering the nature of the crime and antecedents of the petitioner, he may not be enlarged on bail at this stage, submits the Prosecutor.

3. In the facts and circumstances of this case, I find merit in the opposition by the learned Prosecutor. I am satisfied that the petitioner is not entitled for bail at this stage. In a serious crime like

this the Investigators may be given sufficient and reasonable time to complete the investigation, submits the Prosecutor.

4. This application is, in these circumstance, dismissed. But I may hasten to observe that the petitioner shall be at liberty to move the court for bail again at a later stage of the investigation, not at any rate, prior to 10.10.2007. The Investigators shall, in the meantime, make every endeavour to complete the investigation.

(R. BASANT)
Judge

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